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AMENDMENT UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
GROUP 1642
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q57226

Tohru TANAKA, et al.

Appln. No.: 09/445,963

Group Art Unit: 1642

Confirmation No.: 1604

Examiner: N. Davis

Filed: December 16, 1999

For: AGENT FOR DIAGNOSING AND TREATING MALIGNANT TUMORS

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THIRD SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. § 1.116

ATTN: BOX AF
Commissioner for Patents
Washington, D.C. 20231

Sir:

Please amend the above application as follows:

IN THE CLAIMS:

Please cancel claims 5, 6, 7, 8 and 9 without prejudice or disclaimer.

Please enter the following amended claims:

Claim 10 (twice amended). A method for detecting and treating malignant tumors, which method comprises;

administering a tumor detecting effective amount, to a host in need of detection of a malignant tumor, of 5-aminolevulinic acid or a derivative thereof in which at least one carbon atom of said 5-aminolevulinic acid is a carbon isotope and/or a nitrogen atom in its amino group